REMARKS

Claims 1, 3-6, 7, 8, 10, and 11 are pending in the application. New claim 11 has been added.

Claim Rejections - 35 U.S.C. § 103

(a) Claims 1, 3, 4, and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hird (WO 01/071084) in view of Ando et al. (JP 2001-276484). This rejection is respectfully traversed.

In the *Response to Arguments/Amendments* section of the Office Action, the Examiner alleges that "The specific steps which may be performed by the control unit are still regarded as intended use of the apparatus."

In view of this, claim 1 has been amended to claim:

> a control unit for supplying water containing no metal ion to the laundry tub and agitating the laundry to perform a first balance correction rinsing on recognizing that no metal ion was supplied to the laundry tub prior to the spin-drying rotation and that the sensing portion sensed imbalance at the time of the spin-drying rotation, and for supplying water containing metal ion to the laundry tub and agitating the laundry to perform a second balance correction on recognizing that metal ion was supplied to the laundry tub prior to the spin-drying rotation and that the sensing portion sensed imbalance at the time of the spin-drying rotation, by providing signals to the water supply unit, the agitating unit, and the ion eluting portion.

This feature is disclosed in page 37, line 10 - page 41, line 17 of the specification of the present application. Applicants believe that, by the foregoing amendment, the claimed invention is now structurally distinguished over the cited references.

Hird discloses in Fig. 4, a flowchart that shows an out of balance correction process. More specifically, in step 200, a usual washing and rinsing operation of a wash cycle is performed (page 7, lines 12-13). At the end of the wash cycle, rinse water is pumped from the drum while the drum slowly rotates, and the drum then performs a distribute operation (step 202) in which the drum is rotated at a speed of around 83rpm (page 7, lines 14-16). When it is determined, in step 204, that the load is sufficiently balanced, a spin cycle at a higher speed is performed (step 206). If the load is judged not to be sufficiently balanced, then, in step 208, a redistribution operation occurs (page 8, lines 17-21). Note that Hird does not disclose that water is added during the out of balance correction process.

Ando discloses, in paragraph [0004], supplying silver ion, as washing water, during a final washing process (the rinsing process) among a plurality of washing processes.

In view of this, even assuming that Hird and Ando can be combined, which Applicants do not admit, one skilled in the art would, at best, modify Hird, such that silver ion, as washing water, is supplied during the usual washing and rinsing operation of a wash cycle (step 200), and would not conceive providing the foregoing claimed features of the present invention. In view of this, Hird and Ando, taken singly or in combination, fail to disclose or suggest the "control unit," as recited in claim 1.

Further, according to claim 1 of the present application, the control unit performs control such that, when it is recognized that water containing metal ions was supplied to the laundry tub prior to spin-drying rotation and that imbalance was detected at the time of the spin-drying rotation, balance correction rinsing is performed with water containing metal ions supplied and, when it is recognized that water containing metal ions was not supplied to the laundry tub prior

to spin-drying rotation and that imbalance was detected at the time of the spin-drying rotation, balance correction rinsing is performed with water containing no metal ion supplied.

According to the present invention, the provision of the control unit performing control as described above offers the benefits of alleviating the lessening, resulting from balance correction, of the metal ions that have attached to laundry in a processing prior to spin-drying rotation, and of alleviating unnecessary consumption of the metal ion eluting portion.

None of the cited references teaches the above control offering the above benefits, and thus the references do not render the claimed invention obvious. That is, the result of the claimed control is not predictable contrary to the Examiner's assertion in paragraph 12 of the Office Action.

Further, the Examiner asserts, in paragraph 13 of the Office Action, that the phrases "in which laundry is put," "that supplies water to the laundry tub," "that agitates the laundry in the laundry tub," "for eluting metal ions . . . to water," and "for sensing imbalance . . . the laundry tub" are considered to be intended use of the apparatus and are not being given patentable weight. Applicants do not clearly understand why even these limitations are not given patentable weight. In view of this, the Examiner is respectfully requested to provide Applicants with guidelines as to how that Examiner determines that the claimed limitation(s) is "intended use."

Claims 3 and 10, dependent on claim 1, are allowable at least for their dependency on claim 1. Claim 4 has been canceled.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 5, 7, and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hird in view of Ando, and further in view of Jeon et al. (USP 6,286,344). This rejection is respectfully traversed.

Claims 5, 7, and 8, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

New Claims

Claim 11 claims:

a selection unit for selecting between a first mode in which the eluted metal ions are not to be added to the water supplied to the laundry tub prior to a spin-drying rotation, and a second mode in which the eluted metal ions are to be added to the water supplied to the laundry tub prior to the spin-drying rotation, and outputting a selection signal; and

a control unit for supplying water containing no metal ions to the laundry tub and agitating the laundry to perform a first balance correction rinsing on recognizing the selection signal indicating the first mode and the detection signal, and for supplying water containing metal ions to the laundry tub and agitating the laundry to perform a second balance correction on recognizing the selection signal indicating the second mode and the detection signal, by providing control signals to the water supply unit, the agitating unit, and the ion eluting portion.

The "selection unit" is disclosed in Fig. 11 and described in page 33, lines 13-18 of the specification. Applicants believe that none of the prior art of record discloses or suggests these claimed features.

A favorable determination by the Examiner and allowance of these claims is earnestly solicited.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and objections, and allowance of the pending claims are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi Reg. No. 40,417 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: October 26, 2009

Respectfully submitted,

By _____ (Reg. # 40,417)
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